

## MEMORANDUM

Agenda Item No. 14(A)(1)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

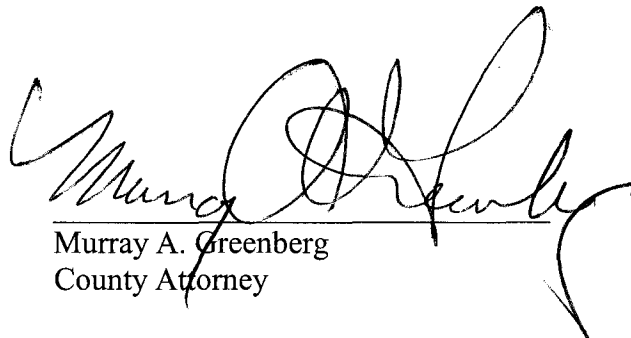
**DATE:** September 26, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution relating to  
Halloween Initiative limiting  
contact between children and  
sexual offenders and predators  
on Halloween

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.



Murray A. Greenberg  
County Attorney

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# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** September 26, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 14(A)(1)

Please note any items checked.

- ☒ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 14(A)(1)

Veto \_\_\_\_\_

09-26-06

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MANAGER TO  
CREATE AND IMPLEMENT A HALLOWEEN INITIATIVE IN  
CONJUNCTION WITH THE FLORIDA DEPARTMENT OF  
CORRECTIONS TO LIMIT CONTACT BETWEEN CHILDREN  
AND SEXUAL OFFENDERS AND PREDATORS ON  
HALLOWEEN

**WHEREAS**, Halloween activities present increased opportunities for pedophiles to gain  
and violate children's trust; and

**WHEREAS**, certain activities, including but not limited to the distribution of candy, lure  
children to the homes of pedophiles; and

**WHEREAS**, limiting children's contact with sexual offenders and predators will  
increase children's safety and well-being; and

**WHEREAS**, pursuant to Florida Statutes, sexual offenders and predators sentenced to  
probation or community control are subject to supervision by the Florida Department of  
Corrections ("DOC") and subject to arrest for a violation of probation or community control by  
both the DOC and local law enforcement officers; and

**WHEREAS**, increased collaboration between the Miami-Dade Police Department  
("MDPD") and the DOC to develop and implement preventive-type operations to reduce sexual  
offender and predator access to children benefits the County; and

**WHEREAS**, the Commission urges municipalities to collaborate with MDPD and the  
DOC to implement proactive initiatives, including a Halloween Initiative, to limit children's  
contact with sexual offenders and predators,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Creation of Initiative. The County Manager is directed to create and implement a “Trick-No-Treat” Halloween Initiative in conjunction with the DOC regarding sexual offenders and predators residing in unincorporated Miami-Dade County and under the supervision of the DOC. The Halloween Initiative shall be developed and implemented prior to October 31, 2006. The Halloween Initiative shall consider the following:

(a) Issuance of orders by the DOC to sexual offenders and predators, pursuant to the terms and conditions of their probation or community control, prohibiting them from participating in Halloween activities that involve children, including but not limited to, distributing candy to children, opening the doors of their residences to children, or attending a party where a child is present;

(b) Issuance of orders by the DOC to certain sexual offenders and predators requiring them to remain at home during Trick-or-Treat hours designated by the DOC;

(c) Collaboration between MDPD and the DOC to ensure that sexual offenders and predators are notified of DOC orders;

(d) Coordination of MDPD and DOC Officers to establish law enforcement teams:  
(i) to inspect the residences of sexual offenders and predators, (ii) to confirm compliance with DOC orders and registration requirements, and (iii) to make arrests when appropriate;

(e) Notification to the general public through the news media, including Miami-Dade TV, of the Halloween Initiative, the FDLE Sex Offender Website, and Halloween safety tips;  
and

(f) Creation of a joint task force between MDPD and the DOC to develop future collaborative law enforcement initiatives, including but not limited to an annual Halloween Initiative, to increase sexual offender and predator compliance with the law and DOC orders.

**Section 2.** Reports.

(a) The County Manager shall prepare and submit a report to the Community Outreach, Safety and Healthcare Administration (COSHA) Committee and the County Commission prior to October 31, 2006, regarding the Halloween Initiative.

(b) Within ninety (90) days of the effective date of this resolution, the County Manager shall also prepare and submit a report to the COSHA Committee and the Commission regarding the results of the Halloween Initiative including the status of the creation of a joint task force between MDPD and DOC.

**Section 3.** The Clerk of the Board shall transmit a certified copy of this resolution to the Mayors and Clerks of the Board of each municipality in Miami-Dade County.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 26th day of September, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

APW

Abigail Price-Williams